

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00958/2019
Chandigarh, this the 16th day of September, 2019

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CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

Yogesh Kalia (Group C) (65 years of age) son of Sh. Sohan Lal Kalia, r/o H. No. 30 A, Rani Ka Bagh, Amritsar, Tehsil and District Amritsar – 143001.

....Applicant

(Present: Mr. Ramandeep Kaur Rao, Advocate)

Versus

1. Union of India through Secretary Railway, Rail Bhawan, Raisina Road, New Delhi – 110001.
2. Senior Divisional Signal and Telecom Engineer, Northern Railway, Ferozepur – 152002.
3. Additional Divisional Railway Manager, Ferozpur – 152002.

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Respondents

(Present: Mr. Lakhinder Bir Singh, Advocate)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. The present O.A. has been filed by the applicant challenging the charge-sheet dated 25.09.2014 (Annexure A-15), inquiry report (Annexure A-16) and the order of penalty (Annexure A-17) passed by the Disciplinary Authority.
2. Ms. Ramandeep Kaur Rao, learned counsel submitted that the applicant has already filed an appeal dated 26.12.2018 (Annexure A-21) along with the application for condonation of delay in filing the same, but it has not been decided till date. She, therefore, suffered a statement at the bar that the applicant would be satisfied if a direction is issued to the competent authority to take a call and decide the appeal filed by the applicant while allowing his application for condonation of delay.

3. Issue notice to the respondents.
4. At this stage, Mr. Lakhinder Bir Singh, Advocate, appears and accepts notice. He does not object to the disposal of the O.A. in the above terms.
5. In view of the consensual agreement between the parties and considering the fact that the statutory appeal is to be decided within the stipulated period, I deem it appropriate to dispose of the O.A, in limine with a direction to the respondents to consider and decide the indicated appeal (Annexure A-21) of the applicant on merit, by passing a reasoned and speaking order, within a period of 30 days from the date of receipt of a copy of this order. Ordered accordingly. The Appellate Authority is also directed to consider the application for condonation of delay sympathetically and objectively while considering the appeal. No costs.

**(SANJEEV KAUSHIK)
MEMBER (J)
Dated: 16.09.2019**

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